

sular areas to strengthen the capacity of such institutions to carry out distance food and agricultural education programs using digital network technologies.

(b) Use

Grants made under this section shall be used—

(1) to acquire the equipment, instrumentation, networking capability, hardware and software, digital network technology, and infrastructure necessary to teach students and teachers about technology in the classroom;

(2) to develop and provide educational services (including faculty development) to prepare students or faculty seeking a degree or certificate that is approved by the State or a regional accrediting body recognized by the Secretary of Education;

(3) to provide teacher education, library and media specialist training, and preschool and teacher aid certification to individuals who seek to acquire or enhance technology skills in order to use technology in the classroom or instructional process;

(4) to implement a joint project to provide education regarding technology in the classroom with a local educational agency, community-based organization, national nonprofit organization, or business; or

(5) to provide leadership development to administrators, board members, and faculty of eligible institutions with institutional responsibility for technology education.

(c) Limitation on use of grant funds

Funds provided under this section shall not be used for the planning, acquisition, construction, rehabilitation, or repair of a building or facility.

(d) Administration of program

The Secretary may carry out this section in a manner that recognizes the different needs and opportunities for eligible institutions in the Atlantic and Pacific Oceans.

(e) Matching requirement

(1) In general

The Secretary may establish a requirement that an eligible institution receiving a grant under this section shall provide matching funds from non-Federal sources in an amount equal to not less than 50 percent of the grant.

(2) Waivers

If the Secretary establishes a matching requirement under paragraph (1), the Secretary shall retain an option to waive the requirement for an eligible institution for any fiscal year if the Secretary determines that the institution will be unlikely to meet the matching requirement for the fiscal year.

(f) Authorization of appropriations

There is authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2002 through 2007.

(Pub. L. 95-113, title XIV, § 1490, as added Pub. L. 107-171, title VII, § 7503, May 13, 2002, 116 Stat. 464.)

§ 3363. Resident instruction grants for insular areas

(a) In general

The Secretary of Agriculture shall make competitive grants to eligible institutions to—

(1) strengthen institutional educational capacities, including libraries, curriculum, faculty, scientific instrumentation, instruction delivery systems, and student recruitment and retention, in order to respond to identified State, regional, national, or international education needs in the food and agricultural sciences;

(2) attract and support undergraduate and graduate students in order to educate them in identified areas of national need in the food and agriculture sciences;

(3) facilitate cooperative initiatives between two or more insular area eligible institutions, or between those institutions and units of State Government or organizations in the private sector, to maximize the development and use of resources such as faculty, facilities, and equipment to improve food and agricultural sciences teaching programs; and

(4) conduct undergraduate scholarship programs to assist in meeting national needs for training food and agricultural scientists.

(b) Grant requirements

(1) The Secretary of Agriculture shall ensure that each eligible institution, prior to receiving grant funds under subsection (a) of this section, shall have a significant demonstrable commitment to higher education programs in the food and agricultural sciences and to each specific subject area for which grant funds under this section are to be used.

(2) The Secretary of Agriculture may require that any grant awarded under this section contain provisions that require funds to be targeted to meet the needs identified in section 3101 of this title.

(e) ¹ Authorization of appropriations

There are authorized to be appropriated such sums as are necessary for each of the fiscal years 2002 through 2007 to carry out this section.

(Pub. L. 95-113, title XIV, § 1491, as added Pub. L. 107-171, title VII, § 7503, May 13, 2002, 116 Stat. 465.)

CHAPTER 65—WHEAT AND WHEAT FOODS RESEARCH AND NUTRITION EDUCATION

Sec.	
3401.	Congressional findings and declaration of policy.
3402.	Definitions.
3403.	Issuance of orders.
	(a) Notice and hearing.
	(b) Effectuation of Congressional policy.
3404.	Permissive terms and conditions of orders.
	(a) Nutrition education plans.
	(b) Research and studies.
	(c) Records and reports; confidential information; penalties.
	(d) Assessment exemption.
	(e) Miscellaneous terms and conditions.
3405.	Wheat Industry Council.

¹ So in original. No subsecs. (c) and (d) have been enacted.

Sec.

- (a) Establishment; powers.
- (b) Membership.
- (c) Research and nutrition education plans.
- (d) Budgets.
- (e) Processed wheat assessment; payment by end product manufacturers.
- (f) Maintenance of records.
- (g) Contracts.
- (h) Investment of assessment funds.
- (i) Lobbying restriction.
- (j) Reimbursement of expenses.
- 3406. Exemption for retail bakers.
- 3407. Referendum.
- 3408. Refund of processed wheat assessment.
 - (a) Election of end product manufacturers to seek refunds.
 - (b) Refund demand; rules and regulations.
- 3409. Petition and review.
 - (a) Petition; hearing; ruling.
 - (b) Judicial review; jurisdiction; process; remand.
- 3410. Enforcement of orders and regulations.
 - (a) Jurisdiction; reference of civil actions to Attorney General.
 - (b) Penalties.
 - (c) Other remedies.
- 3411. Suspension and termination of orders.
 - (a) Authority and responsibility of Secretary.
 - (b) Referendum.
 - (c) Suspension or termination of order not to be considered an order.
- 3412. Investigations; power to subpoena and take oaths and affirmations; aid of courts.
- 3413. Certification of organizations.
- 3414. Other programs relating to wheat or wheat food research or nutrition education.
- 3415. Regulations.
- 3416. Amendments to orders.
- 3417. Authorization of appropriations.

§ 3401. Congressional findings and declaration of policy

(a) Wheat is basic to the American diet and the American economy. It is grown by thousands of farmers and consumed, in various forms, by millions of people in the United States.

(b) The size of the American wheat crop and how it is marketed and ultimately consumed determines whether many Americans receive adequate nourishment. Wheat has a strong impact on the Nation's well-being. Additional research on the optimal use of wheat products can improve the American diet. Consumer education about the nutritional value and economic use of wheat products can enhance the national welfare.

(c) It has long been recognized that it is in the national interest to have a regular, adequate, and high quality wheat supply. It would be extremely difficult, without an effective coordinated research and nutrition education effort, to accomplish this objective. A programed effort of research and nutrition education is of great importance to wheat producers, processors, and product manufacturers, and consumers.

(d) It is the purpose of this chapter and in the public interest to authorize and enable the creation of an orderly procedure, adequately financed through an assessment, for the development and initiation of an effective and continuous coordinated program of research and nutri-

tion education, designed to improve and enhance the quality, and make the most efficient use, of American wheat, processed wheat, and wheat end products to ensure an adequate diet for the people of the United States. The maximum rate of assessment authorized hereunder represents an infinitesimal proportion of the overall cost of manufacturing wheat end products. Therefore, such assessment will not significantly affect the retail prices of those products. Furthermore, any price effect will be more than offset by the increased efficiency in end product manufacture and increased consumer acceptance, due to nutritional improvements in wheat products, which may be expected to follow from adoption of a plan under this chapter. Nothing in this chapter shall be construed to provide for control of production or otherwise limit the right of individual wheat producers to produce wheat.

(Pub. L. 95-113, title XVII, § 1702, Sept. 29, 1977, 91 Stat. 1031.)

EFFECTIVE DATE

Chapter effective Oct. 1, 1977, see section 1901 of Pub. L. 95-113, set out as an Effective Date of 1977 Amendment note under section 1307 of this title.

SHORT TITLE

Section 1701 of title XVII of Pub. L. 95-113 provided that: "This title [enacting this chapter] may be cited as the 'Wheat and Wheat Foods Research and Nutrition Education Act'."

SEPARABILITY

Section 1718 of Pub. L. 95-113 provided that: "If any provision of this title [this chapter] or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the title and of the application of such provision to other persons and circumstances shall not be affected thereby."

§ 3402. Definitions

For the purposes of this chapter:

(a) The term "wheat" means all classes of wheat grains grown in the United States.

(b) The term "processed wheat" means the wheat-derived content of any substance (such as cake mix or flour) produced for use as an ingredient of an end product by changing wheat grown within the United States in form or character by any mechanical, chemical, or other means.

(c) The term "end product" means any product which contains processed wheat as an ingredient and which is intended, as produced, for consumption as human food, notwithstanding any additional incidental preparation which may be necessary by the ultimate consumer.

(d) The term "wheat producer" means any person who grows wheat within the United States for market.

(e) The term "processor" means any person who commercially produces processed wheat within the United States.

(f) The term "end product manufacturer" means any person who commercially produces an end product within the United States, but such term shall not include such persons to the extent that they produce end products on the premises where such end products are to be consumed by an ultimate consumer, including, but not limited to, hotels, restaurants, and institu-